

continue to refuse to consent to vote on much needed judges to our Federal Judiciary. We currently stand at 80 vacancies and have not had fewer than 60 vacancies since February 2009, at the beginning of President Obama's first term. For most of President Obama's tenure in office, judicial vacancies have continued to hover around 80 and 90 because of Senate Republican obstruction. Nevertheless, Senate Republicans continue to object to votes on these nominations. This includes the three nominations that we are voting on today.

Nancy Moritz has been nominated to serve on the U.S. Court of Appeals for the Tenth Circuit. Justice Moritz is currently a justice on the Kansas Supreme Court, where she has been serving since 2011. Prior to joining the Kansas Supreme Court, she was an appellate judge on the Kansas Court of Appeals from 2004 to 2011. Before becoming a judge, Justice Moritz spent nearly ten years as an assistant U.S. attorney in the Kansas City and Topeka offices. From 1989 till 1995, she was an associate at Spencer, Fane Britt & Browne, LLP in Kansas City and Overland Park. From 1987 to 1989, she served as a law clerk to the Honorable Patrick F. Kelly, U.S. District Court for the District of Kansas. Justice Moritz has the support of her Republican home state senators, Senator ROBERTS and Senator MORAN. She was also reported from the Judiciary Committee unanimously by voice vote on January 16, 2014.

Theodore Chuang has been nominated to serve on the U.S. District Court for the District of Maryland. Since 2009, Mr. Chuang has served in the Office of General Counsel at the Department of Homeland Security. He currently serves as deputy general counsel and as counsel on detail to the U.S. Department of State. Previously, Mr. Chuang served as the chief investigative counsel for the House Committee on Energy and Commerce and the deputy chief investigative counsel for the House Committee on Oversight and Government Reforms from 2007 to 2009. From 2004 to 2007, Mr. Chuang worked in private practice as a counsel at the law firm Wilmer Cutler Pickering Hale and Dorr LLP. Prior to that, Mr. Chuang served as an assistant U.S. attorney, Criminal Division, for the District of Massachusetts from 1998 to 2004 and as a trial attorney in the Housing and Civil Enforcement Section of the Justice Department from 1995 to 1998. Upon graduating from Harvard Law School, magna cum laude, Mr. Chuang served as a law clerk to Judge Dorothy W. Nelson on the Ninth Circuit U.S. Court of Appeals from 1994 to 1995.

Mr. Chuang has the support of his home State Senators, Senator MIKULSKI and Senator CARDIN. He was voted out of the Judiciary Committee on a 10-8 vote on January 16, 2014. During the committee vote, the ranking member urged others to vote "No" based on

the fact that Mr. Chuang has been serving on temporary detail to the State Department and has been working with the agency to assist in its response to the ongoing congressional investigation into Benghazi. The ranking member argued that because the administration has refused to turn over interview notes and summaries that he would vote "No" on Mr. Chuang's nomination. This appears to be a case where Mr. Chuang is being held responsible for the decisions of the administration not to turn over the documents when it was not his decision to make. Moreover, Mr. Chuang has responded to the ranking member's Question for the RECORD on this issue fully and forthrightly, and nothing in those responses indicates that Mr. Chuang has conducted himself improperly in any way. Mr. Chuang is a superbly qualified attorney with an impeccable background, and should be supported by the entire Senate.

George Hazel has been nominated to the U.S. District Court for the District of Maryland. Since 2010, he has served as the chief deputy State's attorney for the office of the Maryland State's attorney for Baltimore City. Prior to taking this position, he was an assistant U.S. attorney for the district of Maryland from 2008 to 2010 and for the District of Columbia from 2005 to 2008. From 1999 to 2004, Mr. Hazel also served in private practice at the law firm Weil, Gotshal and Manges, LLP. An experienced trial counsel, Mr. Hazel has tried approximately 50 cases to verdict. Mr. Hazel also has the support of his home State senators, Senator MIKULSKI and Senator CARDIN. He was reported from the Judiciary Committee unanimously by voice vote on January 16, 2014.

All three of these nominees have the experience, judgment, and legal acumen to be terrific judges in our Federal courts. Let us end these unnecessary filibusters. I thank the majority leader for filing cloture petitions and I hope my fellow Senators will join me today to end these filibusters so that these nominees can get working on behalf of the American people.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Theodore David Chuang, of Maryland, to be United States District Judge for the District of Maryland, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 43, as follows:

[Rollcall Vote No. 124 Ex.]

YEAS—54

Baldwin	Harkin	Murphy
Begich	Heinrich	Murray
Bennet	Heitkamp	Nelson
Blumenthal	Hirono	Pryor
Booker	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Sanders
Cantwell	Klobuchar	Schatz
Cardin	Landrieu	Schumer
Carper	Leahy	Shaheen
Casey	Levin	Stabenow
Coons	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCaskill	Walsh
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murkowski	Wyden

NAYS—43

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Kirk	Vitter
Crapo	Lee	Wicker
Cruz	McCain	
Enzi	McConnell	

NOT VOTING—3

Boozman	Rockefeller	Tester
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THE PRESIDING OFFICER. On this vote the yeas are 54, the nays are 43. The motion is agreed to.

NOMINATION OF THEODORE DAVID CHUANG TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Theodore David Chuang, of Maryland, to be United States District Judge for the District of Maryland.

Ms. MIKULSKI. Mr. President, has the clerk reported the nomination?

The PRESIDING OFFICER. The nomination has been reported.

Ms. MIKULSKI. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of George Jarrod Hazel, of Maryland, to be

United States District Judge for the District of Maryland.

Harry Reid, Patrick J. Leahy, Elizabeth Warren, Robert Menendez, Barbara Mikulski, Jack Reed, Richard Blumenthal, Carl Levin, Christopher Murphy, Kirsten E. Gillibrand, Sheldon Whitehouse, Patty Murray, Thomas R. Carper, John D. Rockefeller IV, Jeff Merkley, Richard J. Durbin, Benjamin L. Cardin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of George Jarrod Hazel, of Maryland, to be United States District Judge for the District of Maryland, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Montana (Mr. TESTER) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 42, as follows:

[Rollcall Vote No. 125 Ex.]

YEAS—55

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Udall (CO)
Collins	Manchin	Udall (NM)
Coons	Markey	Walsh
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murkowski	
Hagan	Murphy	

NAYS—42

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NOT VOTING—3

Boozman	Sanders	Tester
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The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 42. The motion is agreed to.

NOMINATION OF GEORGE JARROD HAZEL TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of George Jarrod Hazel, of Maryland, to be United States District Judge for the District of Maryland.

CLOTURE MOTION

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to yield back all time before the vote.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit.

Harry Reid, Patrick J. Leahy, Dianne Feinstein, John D. Rockefeller IV, Debbie Stabenow, Barbara Mikulski, Carl Levin, Benjamin L. Cardin, Tom Harkin, Amy Klobuchar, Barbara Boxer, Patty Murray, Jack Reed, Robert Menendez, Sheldon Whitehouse, Christopher A. Coons, Richard J. Durbin.

The PRESIDING OFFICER (Ms. BALDWIN). By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. TESTER) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote No. 126 Ex.]

YEAS—60

Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Roberts
Brown	King	Rockefeller
Cantwell	Klobuchar	Sanders
Cardin	Landrieu	Schatz
Carper	Leahy	Schumer
Casey	Levin	Shaheen
Coburn	Manchin	Stabenow
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Moran	Whitehouse
Gillibrand	Murkowski	Wyden

NAYS—38

Alexander	Flake	McConnell
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johanns	Thune
Crapo	Johnson (WI)	Toomey
Cruz	Kirk	Vitter
Enzi	Lee	Wicker
Fischer	McCain	

NOT VOTING—2

Boozman	Tester
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The PRESIDING OFFICER. On this vote the yeas are 60, the nays are 38. The motion is agreed to.

NOMINATION OF NANCY L. MORITZ TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I ask unanimous consent that the time until 1:45 p.m. be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIGHWAY TRUST FUND

Mrs. MURRAY. Madam President, the Highway Trust Fund is a vital resource for States to tackle much-needed transportation projects. But right now that trust fund is running on fumes. States from Vermont to California and many in between are rethinking their plans for construction because of funding uncertainty in the Highway Trust Fund. One example is New Mexico. Their State officials are starting to ramp up construction plans for Interstate 25 in Albuquerque. That project has been a high priority for city officials for a number of years. Once it is completed, it is going to reduce traffic and improve safety. That is vital for that area. But right now State officials in New Mexico have said they are concerned about Federal funding for that project and it now might be in jeopardy.

That is not an isolated case. The trust fund supports transportation projects across our entire country. It eases congestion for our commuters and for businesses that need to move their goods efficiently and quickly. It funds safety initiatives and construction that improves our roads and bridges. It sparks job creation for American workers.

But the Department of Transportation now says that trust fund will not be able to keep up with its payments to States as soon as this summer. This crisis is right around the corner. Many States are now planning for worst-case scenarios. In fact, the State of Missouri has stopped planning for